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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	Criminal No. CR 09-0493 JSW
)	
Plaintiff,)	
)	
v.)	PROPOSED ORDER AND
)	STIPULATION EXCLUDING TIME
REFUGIO GALLEGOS-VALDIVIAS,)	FROM JUNE 25, 2009, TO JULY 30, 2009
a/k/a Cuco Gallegos-Valdivias, and)	
a/k/a Cuco Gallegos-Valdivious,)	
)	
Defendant.)	
)	
)	

The parties appeared before the Honorable Jeffrey S. White on June 25, 2009. With the agreement of counsel for both parties, the Court found and held as follows:

1. The parties agree to an exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161, from June 25, 2009, to July 30, 2009, in light of the need for defendant's counsel to conduct further investigation of facts relevant to this matter. Additionally, counsel for the defendant will be out of state and unavailable for a period of two weeks. Failure to grant the requested continuance would unreasonably deny defense counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence and the need for counsel

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1 to conduct further investigation. Failure to grant the requested continuance would also deny the
2 defendant continuity of counsel.

3 2. Given these circumstances, the Court found that the ends of justice served by
4 excluding the period from June 25, 2009, to July 30, 2009, outweigh the best interest of the
5 public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

6 3. Accordingly, and with the consent of the defendant, the Court ordered that the period
7 from June 25, 2009, to July 30, 2009, be excluded from Speedy Trial Act calculations under 18
8 U.S.C. § 3161(h)(7)(A) & (B)(iv).

9 IT IS SO STIPULATED.

10
11 DATED: June 25, 2009

/s/

LOREN G. STEWART
Counsel for Refugio Gallegos-Valdivias

12
13 DATED: June 25, 2009

/s/

DARYL T. EREMIN
Special Assistant United States Attorney

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16 IT IS SO ORDERED.

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18 DATED: June 26, 2009



THE HON. JEFFREY S. WHITE
United States District Court Judge